

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

SEAN G. WONG SING and
CINDY WONG SING

Case No.: 814-72013 ast

Debtors.

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TRUSTEE'S MOTION TO DISMISS

UPON the Affirmation of R. Kenneth Barnard, as Trustee for the above-captioned Debtors, the Trustee will move the Court, at a hearing to be held before the Honorable Alan S. Trust, United States Bankruptcy Judge, on September 16, 2014 at 9:30 a.m. at the United States Bankruptcy Court, Long Island Federal Courthouse, 290 Federal Plaza, Central Islip, New York 11722, for an order pursuant to 11 U.S.C. § 707(a), dismissing this case, based upon the unexcused failure of the Debtors to appear on 6/11/14 at the meeting of creditors mandated by 11 U.S.C. § 341(a), or in the alternative, if the case is not dismissed, to extend the Trustee's time to object to discharge, and for such other and further relief as to the court may seem just and proper.

Dated: Wantagh, NY
August 6, 2014

Law Offices of
R. KENNETH BARNARD

By:/s/ ***R. Kenneth Barnard***

R. Kenneth Barnard
3305 Jerusalem Avenue Suite 215
Wantagh, NY 11793
(516) 809-9397

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AFFIRMATION IN SUPPORT OF MOTION TO DISMISS

R. Kenneth Barnard, an attorney duly admitted to practice law before the Courts of the State of New York and before the United States District Court for the Eastern District of New York, affirms as follows:

1. That R. Kenneth Barnard was appointed by the United States Trustee to serve as the interim Trustee in the above-captioned case and has thereafter duly qualified as and has served as the permanent Trustee.
2. This affirmation is made in support of a motion for an order pursuant to 11 U.S.C. § 707(a), dismissing this case for cause.
3. On 5/1/14, the Debtors commenced this case by filing a voluntary Petition pursuant to Chapter 7 of the Bankruptcy Code, 11 U.S.C. §101 et seq..
4. The Debtors failed to appear and submit to examination, as required by 11 U.S.C. § 343, at the meeting of creditors held pursuant to 11 U.S.C. § 341(a) on 6/11/14 or the adjourned meetings of creditors on 6/25/14, 7/9/14 and 7/23/14 .
5. The Trustee is unable to properly administer the estate without the benefit of an examination of the debtor.
6. The foregoing conduct of the Debtors constitutes cause to dismiss a Chapter 7 case under 11 U.S.C. § 707(a).

Dated: Wantagh, New York
August 6, 2014

/s/ R. Kenneth Barnard